

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

Gary Perez and Matilde Torres,

*Plaintiffs,*

v.

City of San Antonio,

*Defendant.*

Case No. 23-cv-00977-FB

**[PROPOSED] ORDER GRANTING PRELIMINARY INJUNCTION**

Before the Court is the *Motion for Temporary Restraining Order and Preliminary Injunction* (“Motion”) filed by Plaintiffs Gary Perez and Matilde Torres (“Plaintiffs”). After careful consideration and good cause shown, the Court finds that Plaintiffs’ Motion should be granted.

It is therefore **ORDERED, ADJUDGED, and DECREED** that the City of San Antonio, and all other officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with it, are hereby enjoined:

1. implementing the Bond Project or otherwise removing trees from Brackenridge Park (the “Park”)<sup>1</sup> until Plaintiffs and the City agree on a specific plan that preserves the Park’s spiritual ecology;
2. implementing the Bond Project or otherwise engaging in “bird deterrence” within the Park in a way that violates Plaintiffs’ religious rights;

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<sup>1</sup> The definitions in this order have the same meaning as the definitions in Plaintiffs’ Proposed Findings of Fact and Conclusions of Law.

3. preventing Plaintiffs from accessing and performing religious ceremonies in the Lambert Beach area.

IT IS FURTHER **ORDERED** that any violation of this Order will subject Defendant to sanctions.

Accordingly, IT IS ORDERED that Plaintiffs' Motion is GRANTED.

SIGNED this \_\_\_\_ day of \_\_\_\_\_, 2023.

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THE HONORABLE FRED BIERY  
UNITED STATES DISTRICT JUDGE